

***Student Residency***

It is the primary responsibility of the Newburgh Enlarged City School District to provide quality educational opportunities for the children who are legal residents of the District and who are of legal age to attend school. A child's residence is determined by the residence of the child's parents or legal custodial person unless the student is determined to be an emancipated minor. Whether a child is entitled to attend a school of the District depends on the child's residency without the boundaries of the District as determined by the "Residency Designee." The Board of Education shall annually designate an individual as "Residency Designee."

Non-resident families who wish to enroll children in the District shall submit a request, in writing, to the Residency Designee who shall determine whether or not the student(s) will be admitted. The Deputy Superintendent or designee will also determine which building the student will attend. Non-resident students must pay tuition.

The Residency Designee must be provided with documentation confirming that a family has established residency in the District before registering a child for school.

All resident students who move out of the District in the middle of either semester of any school year may be allowed to remain in the District until the end of that semester only without the payment of tuition. This shall be determined by the Residency Designee.

Children placed in the District and maintained by a social services agency shall be admitted on a tuition basis, to be paid by the home school district.

Students from other school districts may be placed in special education programs in the District by their Committee on Special Education with the approval of the Residency Designee, on a tuition basis, to be paid by the sending school district.

Homeless students will be placed in the District in accordance with the McKinney-Vento Act.

Only foreign students participating in a recognized Student Exchange Program under a J-1 Visa may attend District schools without payment of tuition.

A non-resident student may be admitted to District schools, at the discretion of the Residency Designee, on an annual basis, provided that a tuition contract is executed by the parent or legal custodial person, the Board-adopted tuition charge established in accordance with the Commissioner's Regulations is paid in advance of each semester, and provided that:

- A. There is sufficient space to accommodate the non-resident student and the size of staff to accommodate him or her will not be affected;
- B. The non-resident student must be a student in good standing, e.g. passing grades, no substantial disciplinary record and good attendance; and
- C. The admission of such non-resident student is and continues during the enrollment period to be in the best interests of the District.

Non-resident families will be advised that the tuition charge may change during the school year when the Board adopts the tuition rate for the current school year and that any additional tuition must be promptly paid.

Non-resident families are responsible to provide transportation to and from school in the District.

**Residency Determinations**

It is required that prior to making a residency determination, the Residency Designee shall afford the child's parent or the legal custodial person the opportunity to submit information concerning the child's right to attend school in the District.

Where the Residency Designee determines that the child is not a resident and not entitled to attend school under Section 100.2(x) of the Commissioner's Regulations, written notice of his/her determination will be provided to the parent or legal custodial person within two business days after receipt of the information. Written notice shall include the basis for the determination, the date of exclusion from the District, and a statement that the determination of the Residency Designee may be appealed to the Commissioner of Education in accordance with Education Law Section 310, within 30 days of the date of the determination and the procedure for taking such appeal may be obtained from the Office Counsel, New York State Education Department, State Education Building, Albany, New York 12234 or may be called at (518) 474-5807.